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W.P.No.26276 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

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1. B.Rajarajacholan
2. A.Thulsi Rajan
3. K.Ravichandran
4. M.Raja
5. G.Mohan
6. P.Balu
7. K.Mohan
8. S.Elango
9. E.P.Selvaraju
- 10.D.Chandramohan
- 11.N.Balakrishnan
- 12.S.Ganesan
- 13.Damotharan
- 14.C.Raja
- 15.P.Elumalai
- 16.A.Durai
- 17.M.Natarajan

... Petitioners

Vs.

1.The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
No.3/137, Salamedu, Vazhatha Reddy PO,
Villupuram – 605 602.

2.The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Villupuram Region,
Villupuram – 605 401.



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3.The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
No.2, Pallavan Salai,
Chennai – 600 002.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents to pay interest @ 10% for the belated payment of Gratuity, Leave Salary, Provident Fund and Commutation of Pension amount to the petitioners.

For Petitioners : Mr.S.T.Varadarajalu

For R1 and R2 : Mr.R.Venkatasa Perumal

For R3 : Mr.C.S.K.Sathish

ORDER

This writ petition has been filed to direct the respondents to pay interest @ 10% for the belated payment of Gratuity, Leave Salary, Provident Fund and Commutation of Pension amount to the petitioners.

2.It is the case of the petitioners that they retired from the respondent Corporation on various dates, however, their retirement benefits were settled belatedly as follows :



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<i>Petitioners</i>	<i>Date of Retirement</i>	<i>Date of settlement</i>
B.Rajarajacholan	30.06.2022	30.05.2023

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<i>Petitioners</i>	<i>Date of Retirement</i>	<i>Date of settlement</i>
A.Thulsi Rajan	31.05.2022	30.05.2023
K.Ravichandran	31.08.2022	30.05.2023
M.Raja	31.10.2019	21.01.2021
G.Mohan	31.05.2022	23.05.2023
P.Balu	30.06.2022	23.05.2023
K.Mohan	30.06.2022	18.06.2023
S.Elango	30.11.2022	30.05.2023
E.P.Selvaraj	31.07.2022	30.05.2023
D.Chandramohan	30.06.2022	29.05.2023
N.Balakrishnan	30.06.2022	30.05.2023
S.Ganesan	15.12.2020	01.12.2022
V.Damodaran	30.06.2022	29.05.2023
C.Raja	30.11.2022	23.05.2023
P.Elumalai	31.05.2022	30.05.2023
A.Durai	31.05.2022	23.05.2023
M.Natarajan	30.06.2022	23.05.2023

Therefore, it is the contention of the petitioners that the petitioners are eligible for interest on the belated payment of their retirement benefits. Hence, the petitioners seek interest at the rate of 10% p.a. for the belated payment of their retirement benefits.

3.Heard the learned counsel for the petitioners, Mr.R.Venkatesa Perumal, learned counsel, who takes notice for the respondents 1 and 2 and Mr.C.S.K.Sathish, learned counsel, who takes notice for the 3rd respondent.



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4.This Court, in various decisions, have already taken a view that, in all cases of belated payment of terminal benefits, the concerned employee would be entitled to interest at the rate of 4% per annum. Hence, this Court is of the view that the petitioners are entitled to interest at the rate of 4% per annum on the belated payment of the terminal benefits.

5.Accordingly, the respondents are directed to pay interest at the rate of 4% per annum on the belated payment of the retirement benefits to the petitioners, from the date of their retirement till the date of actual disbursement, within a period of eight weeks from the date of receipt of a copy of this order.

6.With the above direction, this writ petition is disposed of. No costs.

08.09.2023

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Internet : Yes

Index : Yes / No

Neutral citation : Yes / No

Speaking order / Nonspeaking order



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